

MEMO ENDORSED

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/29/08

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

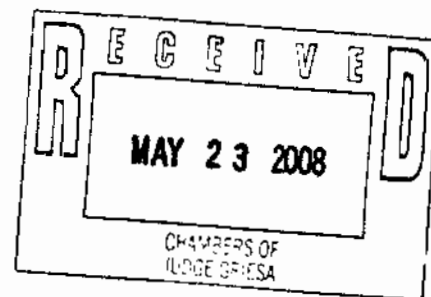
MICHAEL A. CARDOZO
Corporation Counsel

Susan P. Scharfstein
Special Federal Litigation Division
212-227-4071
Facsimile: (212) 788-9776
sscharfs@law.nyc.gov

May 22, 2008

BY HAND

Honorable Thomas P. Griesa
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: Haji v. United States of America, et al., 08 CV 2230 (TPG)

Dear Judge Griesa:

I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, counsel for defendant City of New York in the above-referenced action alleging violations of plaintiff's civil rights. Defendant respectfully requests that its time to respond to the complaint be extended to June 13, 2008, or to such alternative date that may be set by the Court for the federal defendants to answer or otherwise respond to the complaint. I have not been able to reach plaintiff's counsel by telephone to discuss his consent to this request for an enlargement of time. The Assistant United States Attorney assigned to this matter has advised me that she consents to this request.

As the Court is aware, on April 30, 2008, the U.S. Attorney's Office for the Southern District of New York requested an enlargement of time in which to respond to the complaint to June 13, 2008, on behalf of Special Agents, Robert Barrett, Kate Barnard, and Paul Buchanan, and the United States of America. The reason for that request was to allow time for representational issues to be addressed as to the individually-named federal defendants and to permit the U.S. Attorney's Office to submit a consolidated response on behalf of all of the defendants whom it was to represent.¹

¹ We understand that the U.S. Attorney's Office must have authorization to represent the individual defendants before appearing on their behalf and that those authorizations are currently pending.

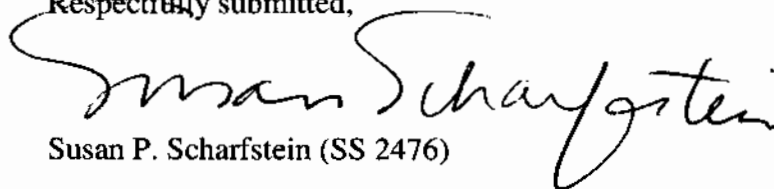
Approved:
Thomas P. Griesa
USAD 5/29/08

We request this additional enlargement of time so that all defendants can respond to the complaint at once, and this action will be on a single, consolidated schedule as to all defendants. Further, the allegations of the complaint are of a joint law enforcement effort. In his complaint, plaintiff is alleging, inter alia, violations of his Constitutional rights arising principally from activities of federal law enforcement officers that led to his arrest pursuant to a federal arrest warrant on or about July 26, 2006, following his indictment by a grand jury in the Southern District of New York. We believe that, in the interests of the efficient use of the time and resources of the Court and the parties, all defendants should respond on a coordinated date so that the litigation can proceed on a consistent schedule.

On March 24, 2008, defendant City of New York previously requested an extension of time to respond to the complaint from March 26, 2008, to May 27, 2008. The Court granted that request on March 28, 2008. For the reasons set forth above, we respectfully request that defendant City of New York's time to answer or otherwise respond to the complaint be further extended to June 13, 2008, or to the same alternative date, if any, that may be set by the Court for the federal defendants to answer or otherwise respond to the complaint, so that this action can proceed on a single coordinated schedule.

Thank you for your consideration herein.

Respectfully submitted,



Susan P. Scharfstein (SS 2476)

cc: Eugene B. Nathanson, Esq.
Attorney at Law
30 Vesey Street, 4th Floor
New York, NY 10007
(by hand)

Carolina A. Fornos, Esq.
Assistant United States Attorney
Southern District of New York
86 Chambers Street, 3rd Floor
New York, NY 10007
(by hand)